

**UNITED STATES DISTRICT COURT
Western District of Texas
Austin Division**

AMANDA RUIZ

Plaintiff

v.

LTD FINANCIAL SERVICES
LP

Defendant

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1:20-cv-778

DEMAND FOR JURY TRIAL

ORIGINAL COMPLAINT

1. Plaintiff Amanda Ruiz sues for claims under the Fair Debt Collection Practices Act ("FDCPA"), 15 U.S.C. § 1692, *et seq.*, to obtain statutory damages, costs and a reasonable attorney's fee for the Defendant's violations of the FDCPA.

VENUE

2. Venue is proper in the United States District Court for the Western District of Texas, Austin Division, because the acts and transactions occurred in this district and because the Defendant transacts business in this district.

THE PARTIES

3. Plaintiff Amanda Ruiz ("**Ruiz**") is an individual who resides in Williamson County, Texas.

4. Defendant LTD Financial Services LP ("**LTD**") is a company organized and existing under the laws of the State of Texas. LTD may be served by serving its registered agent at the following address:

CT Corporation System
1999 Bryan St., Ste 900
Dallas, TX 75201-3136

FACTUAL ALLEGATIONS

5. Ruiz resides in Round Rock, Texas.
6. Ruiz allegedly incurred a debt to The Bank of Missouri for a credit card.
7. Ruiz did not pay the alleged debt.
8. The alleged debt went into default.
9. After default, the alleged debt was placed with LTD for collection.
10. LTD describes itself as a “nationally recognized, top-tier collection agency that provides collection services to premier credit grantors across the country.”¹

¹ See <http://www.ltdfin.com/about-us>

11. LTD tried to collect the alleged debt from Ruiz.

12. LTD sent a collection letter dated June 2, 2020 to Ruiz.

13. The June 2, 2020 was the initial communication between LTD and Ruiz.

14. The alleged debt is a “debt” as that term is defined by § 1692a(5) of the FDCPA.

15. Ruiz is a "consumer" as that term is defined by § 1692a(3) of the FDCPA.

16. LTD is a “debt collector” as defined by § 1692a(6) of the FDCPA.

COUNT I. VIOLATION OF THE FDCPA § 1692g

17. Plaintiff re-alleges the above paragraphs as if set forth fully in this count.

18. Section 1692g(a) of the FDCPA states:

Within five days after the initial communication with a consumer in connection with the collection of any debt, a debt collector shall, unless the following information is contained in the initial communication or the consumer has paid the debt, send the consumer a written notice containing—

(3) a statement that unless the consumer, within thirty days after receipt of the notice, disputes the validity of the debt, or any portion thereof, the debt will be assumed to be valid by the debt collector;

(4) a statement that if the consumer notifies the debt collector in writing within the thirty-day period that the debt, or any portion thereof, is disputed, the debt collector will obtain verification of the debt or a copy of a judgment against the consumer and a copy of such verification or judgment will be mailed to the consumer by the debt collector; and

5) a statement that, upon the consumer's written request within the thirty-day period, the debt collector will provide the consumer with the name and address of the original creditor, if different from the current creditor.

19. LTD violated § 1692g of the FDCPA by failing to send the information required either in the initial communication or in a written notice within five days,

REQUEST FOR RELIEF

20. Plaintiff requests this Court award her:

- a. Statutory damages of \$1000 for LTD's violations of the FDCPA;
- b. Costs; and
- c. A reasonable attorney's fee.

JURY DEMAND

Plaintiff demands trial by jury.

Respectfully Submitted,
By: s/Tyler Hickle
Plaintiff's Attorney

Tyler Hickle, SBN 24069916

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